

MINUTES

UTAH BOARD OF NURSING MEETING

FEBRUARY 23, 2007

ROOM 474 – 4TH FLOOR – 10:00 A.M.
HEBER M. WELLS BLDG 160 E 300 S
SALT LAKE CITY UT

CONVENED: 10:00 A.M.

ADJOURNED: 1:35 P.M.

CONDUCTING: Pamela Rice, Chair

MEMBERS PRESENT: Pamela Rice
Joel Allred
Marie Partridge
Barbara Jeffries
Susan Kirby
Marilyn Johnson
Nancy Knappe

MEMBERS EXCUSED: Diane Forster-Burke
Yvonne Sehy (resigned from Board)
Mary Williams

DIVISION STAFF: Laura Poe, Executive Administrator
Connie Call, Discipline Specialist

GUESTS: Travis Kitchen, CEU student
Richard Anderson, CEU student
Melissa Urry, CEU student
Jillyn Simmons, CEU student
Ashley Harrison, CEU student
Brenda Henderson, CEU student
Matt McCure, CEU student
I. Marlene Summers, Westminster student
Lindy Buhl, Westminster BSN student

TOPIC OF DISCUSSION:

DECISIONS/RECOMMENDATIONS:

MINUTES: The January 19, 2007 minutes were approved as written. Ms. Partridge abstained from voting.

ENVIRONMENTAL SCAN:

Yvonne Sehy sent a letter of resignation and expressed her appreciation for members of the Board. She is willing to work as a consultant on the Medication Aide Certified issue if needed.

It was noted that the Westminster College CRNA program was granted full accreditation from the Council on Accreditation of Nurse Anesthesia Educational Programs (COA).

Philippine update: Ms. Poe reported there was a security breach in the June licensure exam in the Philippines. CGFNS will not issue a Visa Screen for anyone that passed the compromised portions of that exam, but will accept a licensee who re-tests.

Ms. Poe also handed out a press release regarding NCSBN choosing the Philippines as an international testing site for NCLEX examination.

Ms. Poe reported that the NCSBN Investigator & Attorney Workshop training will be held in May. Ms. Johnson made a Motion to use the Education and Enforcement fund to send one investigator to the meeting. Ms. Jeffries seconded the Motion. All Board members in favor.

LEGISLATIVE UPDATE:

The following bills were reviewed by Ms. Poe: HB 137 Pain Medications Management and Education that passed the House; HB 299 Nurse Practice Act Amendments passed out of the House and a Senate Committee and Ms. Poe thinks it will pass; HB 313 passed the House but has not been heard in the Senate; HB 437 would require an applicant to document they are legally in the United States before they can be given a license; SB45 Nursing Amendments for CRNA's should pass both

the House and the Senate.

PROBATIONARY DISCIPLINE
REPORT:

Report presented by Ms. Call. Attached to the minutes.

GROUP 1
MINUTE TAKER: CONNIE CALL:

Members present: Joel Allred, Marie Partridge and Susan Kirby.

LORIE VEATCH,
NEW ORDER:

Mr. Allred conducted the interview. Ms. Veatch stated she understands the terms and conditions of her Order. She stated she will make arrangements to pay her fine and sign up for CVI today. She is employed at Davis Hospital and indicated she will provide them with a copy of the Stipulation and Order on Wednesday. She indicated she will schedule her psychological, substance abuse and physical evaluations after April 1, 2007 when her insurance goes into effect. She met with Ms. Call yesterday to review her Order and appeared to have been drinking alcohol. She could not give a urine specimen, however, completed a breathalyzer test which was positive for alcohol. Ms. Veatch stated she was glad that she went through that process yesterday. Mr. Allred questioned whether or not she thought she had a drug problem and she indicated she did have a drug problem and that it is situational. She indicated she realizes her family and license are important and hopes counseling will help with her stress. She claims to have been clean and sober since Christmas. Mr. Allred questioned her about the incident with Ms. Call the day prior and she stated her new clean date is February 27, 2007. Ms. Veatch does not have a prescribing practitioner and does not receive prescription medications. Ms. Veatch is out of compliance with her Order because of the incident yesterday.

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JEAN OLSEN,
NEW ORDER:

Ms. Kirby conducted the interview. Ms. Olsen reported she has been clean since March 9, 2006 and her drug of choice is Stadol. Ms. Olsen stated she attends NA meetings every week. She stated she is not taking medications not lawfully prescribed for her. Ms. Olsen requested that her Order be amended so that she is not required to have direct supervision of an RN or physician and requested that her access to controlled substances be returned. Ms. Olsen indicated that her employer will allow her to return to work if these modifications are made. Committee members would like to see the evaluations prior to making any modifications to the Order. Ms. Olsen left the interview angry.

KILEY MCCLAIN,
INTERVIEW:

Ms. Partridge conducted the interview. Ms. McClain requested her Order be modified to allow for more than one prescribing practitioner and requested that she be allowed to attend additional aftercare or 12-step meetings in lieu of PIR meetings. She is currently attending aftercare twice a month.

GLENDA SALAS,
NEW ORDER:

Mr. Allred conducted the interview. Ms. Salas has a new Order and she stated what she learned was to cross her t's and dot your i's and to be totally honest. She indicated she has trust issues because of comments made to her at her last meeting with the Board. She also stated that she felt the Board thought paperwork was more important than sobriety.

GROUP II
MINUTE TAKER: LAURA POE

Members present: Marilyn Johnson, Barbara Jeffries, Nancy Knape and Pam Rice.

Guests: I. Marlene Summers.

VIA MACKAY,

Ms. Mackay met with the Committee and

PROBATION INTERVIEW:

was interviewed by Ms. Knape. The importance of compliance was emphasized. Ms. Mackay indicated she wanted to keep her license and was committed to being compliant. She claims to have sent information to the Division via fax or e-mail that was not received. Ms. Mackay stated she understands she is responsible for getting her reports to the Division and will follow-up any faxes or e-mails with a hard copy via parcel post. She denies thoughts of relapse, but stated she has had some nightmares that she has relapsed.

MASON FRANCOM,
NEW ORDER:

Mr. Francom met with the Committee and was interviewed by Ms. Johnson. Mr. Francom asked some clarifying questions regarding his Order. He indicated he understands his Order. Mr. Francom obtained a psychological and substance abuse evaluation that indicated he does not have a substance abuse problem and has no need for treatment or therapy. Committee members will recommend amending his Order.

DOUGLAS ZITTING,
INTERVIEW:

Mr. Zitting requested to meet with Board members. He admitted to taking his mother's Tramadol and drinking on two occasions since meeting with the Committee in November. He claims to have been clean and sober since January 31, 2007. He denies taking any illicit drugs. Mr. Zitting re-committed himself to his recovery and to being compliant with the terms of his Order. He is currently non-compliant and will be scheduled to meet with the Committee next month.

MICHAEL GOMES
NEW ORDER:

Mr. Gomes met with the Committee and explained the circumstances that led to his current disciplinary action. Committee members emphasized the need to have orders before administering medications.

He was given the information regarding the required continuing education.

REPORT FROM COMMITTEES:

Lori Veatch: Mr. Allred made a Motion to issue a Public Reprimand for the relapse Ms. Veatch had yesterday. Ms. Kirby seconded the Motion. All Board members in favor.

Jean Olsen: Ms. Olsen requested access to controlled substances. Ms. Olsen just signed her Order and Board members would like to follow her on probation for a period of time before returning access. Committee members recommended denial of her request. All Board members in favor. Her request not to be directly supervised was tabled for clarification regarding supervision.

Kiley McClain: A Motion was made to allow three prescribing practitioners (2 Orthopedic physicians and one dermatologist). Ms. Partridge seconded the Motion. All Board members in favor. Mr. Allred made a motion to terminate PIR attendance and require one meeting per week being either AA or aftercare. Ms. Johnson seconded the Motion. All Board members in favor.

Vai Mackay: Committee members recommend that if Ms. Mackay is out of compliance one more time she will be referred for an OSC Hearing.

Mason Francom: The evaluation received from Dr. Ettringer indicated Mr. Francom does not have a substance abuse problem. Ms. Johnson made a Motion that the attendance at AA, PIR and aftercare meetings be terminated; terminate therapy; amend the Order to allow access to controlled substances; allow calling in prescriptions and that the urine screens be

reduced in frequency. Ms. Jeffries seconded the Motion. All Board members in favor.

Douglas Zitting: Mr. Zitting had requested a meeting with the Board because of a relapse due to severe marital distress and divorce. Board members recommend he meet with the Board next month. Mr. Zitting indicated he is committed to meeting the terms and conditions outlined in his stipulation and order.

SANDRA SNOW, REQUEST FOR
TERMINATION OF PROBATION:

Ms. Knape made a Motion to deny the request for termination of probation. She needs to be monitored for a longer period of time with access to controlled substances and prescriptive authority. Ms. Jeffries seconded the Motion. All Board members in favor.

NANCY STONE, REQUEST FOR
ACCESS TO CONTROLLED
SUBSTANCES:

Ms. Knape made a Motion to approve the request to return access to controlled substance substances. Ms. Kirby seconded the Motion. All Board members in favor.

ANGIE MANGELSON, REQUEST
TO ATTEND 12-STEP MEETINGS
IN LIEU OF PIR:

Mr. Allred made a Motion to terminate attendance at PIR and to require attendance at a 12-step meeting or aftercare once a week. Ms. Johnson seconded the Motion. All Board members in favor.

ANN ROONEY, REQUEST FOR
ACCESS TO CONTROLLED
SUBSTANCES:

Mr. Allred made a Motion to deny the request for access to controlled substances because of Ms. Rooney's lack of compliance at this time. Ms. Jeffries seconded the Motion. All Board members in favor.

TODD GARDNER, REQUEST
TERMINATION OF URINE
SCREEN TESTING:

Mr. Allred made a Motion to deny the request because he needs to be monitored for a longer period of time. Ms. Partridge second the Motion. All Board members in

FOLLOW-UP REGARDING THE
BOARD'S REQUEST TO
CONDITIONALLY RENEW A
PROBATIONER'S LICENSE
PENDING A PSYCHOLOGICAL
EVALUATION:

favor.

Ms. Poe indicated there is a process in place through the Nurse Practice Act where the Board and Division can require an evaluation. This individual's license was renewed, but not with conditions. The Board can still require an evaluation if it is deemed necessary. No further action was taken.

REPORT FROM EDUCATION
COMMITTEE:

Mountainland ATC in Orem submitted an intent to begin a PN program which will articulate with UVSC's nursing program. Mr. Allred made a Motion to approve the request. Ms. Kirby seconded the Motion. All Board members in favor.

Review NCLEX Pass Rates: Southern Utah University had a 63% pass rate that is now up to 80%. Westminster's pass rate is now 92.59%. There is concern with Utah Career College and the current pass rate of 48% and failure to pass NLNAC site visit. Board members recommend that the director of the nursing program from Utah Career College meet with the Education Committee to discuss these issues. The director will also be required to bring copies of all correspondence from NLNAC.

Ms. Rice and Ms. Poe will conduct a site visit at Steven's Henager College in Ogden on March 1, 2007.

NCSBN MIDYEAR MEETING:

A Motion was made to approve the use of funds from the Education and Enforcement fund to send Ms. Poe and Ms. Rice to the NCSBN Midyear meeting in New Orleans April 2-4, 2007. The Motion was seconded. All Board members in favor.

CONTINUED DISCUSSION
REGARDING THE MEDICATION

Ms. Poe reported she is communicating with a test vendor who already provides

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AIDE PILOT PROGRAM

certification examinations in four other states. Education Committee members will continue to monitor this issue.

(ss) PAMELA RICE
CHAIR

03/30/2007
DATE

(ss) LAURA POE
EXECUTIVE ADMINISTRATOR

03/30/2007
DATE